

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,  
aka GARY FRANCIS FISHER,  
aka SONNY BARGER,

Plaintiff,

v.

F.B.I., et al.,

Defendants.

Case No. [15-cv-01671-WHO](#) (PR)


**ORDER OF DISMISSAL**

Dkt. No. 5

Plaintiff Gary Dale Barger has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00. His IFP application lacks two necessary documents: a Certificate of Funds completed and signed by an authorized prison officer, and a prison trust account statement showing transactions for the last six months. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Barger may move to reopen the action. Any such motion must contain a complete IFP application, which includes the two documents mentioned above, or full payment for the \$400.00 filing fee. Barger's IFP application (Docket No. 5) is DENIED as insufficient. The Clerk shall terminate Docket No. 5, enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

**Dated:** May 27, 2015

  
WILLIAM H. ORRICK  
United States District Judge